



TRANSMITTAL FORM

Application No.:	10/642,912
Filing Date:	August 18, 2003
First Named Inventor:	Douglas E. LeCrone, et al
Group Art Unit	2184
Examiner:	Not Yet Assigned
Docket No.	EMC-97-153 CON1

Total Number of Pages in this Submission:

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Authorization for the Commissioner to charge Deposit Account No. 05-0889 for fees associated with this transaction (in duplicate)	<input type="checkbox"/> Assignment Recordation Cover Sheet	<input type="checkbox"/> Petition for Revival of an Unintentionally Abandoned Application [37 CFR 1.137(b)] (in duplicate)
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Declaration/Power of Attorney	<input type="checkbox"/> Fee Transmittal
<input type="checkbox"/> After Final	<input type="checkbox"/> Associate Power of Attorney	<input type="checkbox"/> Issue Fee Payment Transmittal
<input type="checkbox"/> Affidavits/Decl.	<input type="checkbox"/> Revocation of Power of Attorney	<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Extension of Time Request for 3 Months	<input type="checkbox"/> Formal Drawings	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Continued Examination Transmittal	<input type="checkbox"/> Letter to Official Draftsperson with three (3) sheets of redlined changes to drawings	<input checked="" type="checkbox"/> Declaration Under 37 CFR 1.131
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review"	<input type="checkbox"/> Status Inquiry
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input checked="" type="checkbox"/> Certificate of First Class Mailing
	<input type="checkbox"/> Additional Enclosures:	<input type="checkbox"/> Certificate of Express Mail Mailing
		<input checked="" type="checkbox"/> Postcard

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

1/12/04
Date

Penelope S. Wilson
Penelope S. Wilson, Esq. (Reg. No. 29,751)
EMC Corporation
Office of the General Counsel
176 South Street
Hopkinton, MA 01748

Tel: (508) 435-1000, ext. 77998
Fax: (508) 293-7189

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8]

I hereby certify that this correspondence and the above-referenced enclosures are being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

January 12, 2004
Date

Sandra A. Kulaga
Signature

Sandra A. Kulaga

Typed or printed name of person signing certificate



PATENT
EMC-97-153CON1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Douglas E. LeCrone, et al	GROUP ART UNIT:	2184
U.S.S.N.:	10/642,912	EXAMINER:	Not Yet Assigned
FILING DATE:	August 18, 2003		
TITLE:	HOST SYSTEM FOR MASS STORAGE BUSINESS CONTINUANCE VOLUMES		

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 12, 2004

Andrea D. Zulaga

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR 1.131

Sir:

Douglas E. LeCrone and Bruce A. Pocock declare that they are the inventors who on March 13, 1998 filed the above-identified application (the "Application"); that they conceived their invention in this country long prior to June 13, 1997, the filing date of McBready patent U.S. 6,216,211 entitled "Method and Apparatus for Accessing Logical Volumes"; that at least as early as May 20, 1996, they began developing source code

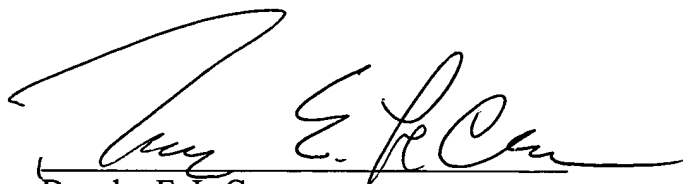
implementing the invention, as evidenced by the development history maintained in EMC Corporation's ISPF directory listing; that Douglas E. LeCrone worked substantially continuously on the development of this source code, in original and subsequent versions, from May 20, 1996 through the filing date of the Application on March 13, 1998, spending at least 20 manhours per week; that Bruce A. Pocock worked substantially continuously on the development of this source code from his start date at EMC in August, 1997 through the filing date of the Application on March 13, 1998, spending at least 20 manhours per week; that they do not know and do not believe that their invention has been in public use more than one year before the date of their application; and that they have never abandoned the invention.

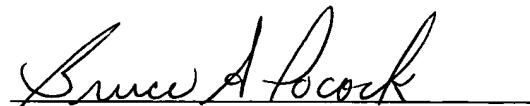
They further declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

1/9/04
Date

Dec 18, 2003
Date


Douglas E. LeCrone


Bruce A. Pocock